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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,059	01/15/2002	David LeRoy Newbold	23452-509	3644

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EXAMINER

LUDWIG, MATTHEW J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 04/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,059

Applicant(s)

NEWBOLD, DAVID LEROY

Examiner

Matthew J. Ludwig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/2/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications. Amendment received 2/2/05.
2. Claims 1-28 are pending in the case. Claims 1, 11, 21, and 31, are independent claims.
3. The rejection of claims 1, 6-11, 16-21, and 26-38, under 35 U.S.C. 103(a) as being unpatentable over Hubert has been withdrawn pursuant to the Applicant's argument. The rejection of claims 2, 3, 12, and 13, under 35 U.S.C. 103(a) as being unpatentable over Hubert in view of Minter has been withdrawn pursuant to the Applicant's argument.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilmour, USPN 6,377,949 filed (9/18/98).**

In reference to Independent claim 1, Gilmour teaches:

The identified terms are then compared to a number of user knowledge profiles with a view to detecting a predetermined degree of correspondence between the identified terms and any one or more of the user knowledge profiles (compare to "*generating an affinity between a topic and the user, wherein the affinity has an affinity strength*"). See column 5, lines 35-40. It is the degree of correspondence, which acts similarly to an affinity and provides a direct association between the topics and content of a document and a user knowledge profile.

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In the event that a predetermined degree of correspondence is detected, the sender of the electronic document is prompted to either accept or decline the proposed recipient as an actual recipient of the electronic document (compare to ***“requesting approval from the user to publish the generated affinity”***)

Facilitating a user profile query or look-up wherein, in response to a match between a query and a user profile, the owner of the user profile may be prompted for authorization to publish all (or a portion) of the user profile to the originator of the query or to others (compare to ***“determining whether the user consents to the publication of the affinity”***). See column 5, lines 40-56. The user constructs a user profile that includes first and second portions that may conveniently be identified as “private” and “public” portions. This would provide a way of determining whether or not the user consents to the publication of the matching terms and subsequent information.

Users can also elect to bypass the threshold publishing concept altogether, manually reviewing each term that crosses the threshold and then deciding whether to publish (compare to ***“publishing the affinity to a content catalog if it is determined that the user consents to the publication of the affinity”***). See column 18, lines 10-34. The reference does not explicitly teach publishing the affinity to a ***content catalog***; however, figure 18D illustrates KnowledgeMail Recipient Suggestions. More specifically the list of names represents potential recipients along with a “matching metric” for each user included in the list of user names. Each “matching metric” comprises the sum of the confidence level values; each multiplied by the weighted occurrences of the term within the message body. It would have been obvious to one of ordinary skill in the art to have utilized the browser window opened by the email client, which contains a

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list of potential recipients, a means of locating each recipient, a means of adding recipients, and a means of viewing content related to each recipient, which would give a user similar features of a content catalog. It was well known in the art at the time the invention was made to include the above-mentioned features within a content catalog because it would provide a user with multiple features and methods to access content and based on a confidence level values as taught by Gilmour.

In reference to dependent claim 2, Gilmour teaches:

Users may set the threshold through the browser interface as a fundamental configuration for their profile. If set low, the user profile will be aggressively published to the public side. If set high, only terms with a high level of confidence will be published. See column 18, lines 10-25.

In reference to dependent claim 3, Gilmour teaches:

Users may request that terms with a confidence level of greater than 1000 automatically be published in a “public” portion of their user knowledge profile. Further, email addresses for a particular email may be suggested based on a match between a term in the e-mail and a term within the user knowledge profile having a confidence level value of greater than 600. See column 16, lines 52-67.

In reference to dependent claim 4, Gilmour teaches:

Users may set the threshold through the browser interface as a fundamental configuration for their profile. If set low, the user profile will be aggressively published to the public side. If set high, only terms with a high level of confidence will be published. See column 18, lines 10-25.

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In reference to dependent claim 5, Gilmour teaches:

Users may request that terms with a confidence level of greater than 1000 automatically be published in a “public” portion of their user knowledge profile. Further, email addresses for a particular email may be suggested based on a match between a term in the e-mail and a term within the user knowledge profile having a confidence level value of greater than 600. See column 16, lines 52-67.

In reference to dependent claim 6, Gilmour teaches:

If a user requests an expert in a certain field via a client browser client, the knowledge access server matches the term against both the public and private portions of all user profiles. If a high confidence, but private, match is found, the system cannot reveal the identity of the matched person to the inquirer. The case places a notification in the profile “home” page of the target user and/or transmits an email message with a link back to that page. See column 10, lines 5-25.

In reference to dependent claim 7, Gilmour teaches:

The case places a notification in the profile “home” page of the target user and/or transmits an email message with a link back to that page. See column 10, lines 5-25.

In reference to dependent claim 8, Gilmour teaches:

Unrestricted access to the “public” portion of the user knowledge profile may be provided to other users, while restricted access to the “private” portion may be facilitated. Unrestricted access may encompass allowing a user to review details concerning a user knowledge profile, and the target user, responsive to a specific request and without specific authorization from the target user. See column 17, lines 55-67.

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In reference to dependent claim 9, Gilmour teaches:

The owner of the user profile may be prompted for authorization to publish all (or a portion) of the user profile to the originator of the query or to others generally. The user is thus also able to control the timing, circumstances, and extent to which it is made accessible to others. See column 6, lines 5-15.

In reference to dependent claim 10, Gilmour teaches:

The owner of the user profile may be prompted for authorization to publish all (or a portion) of the user profile to the originator of the query or to others generally. The user is thus also able to control the timing, circumstances, and extent to which it is made accessible to others. See column 6, lines 5-15.

In reference to claims 11-20, the claims reflect the system comprising instructions used for performing the methods as claimed in 1-10, and in further view of the following, are rejected along the same rationale.

In reference to claims 21-30, the claims reflect the system comprising computer readable instructions used for performing the methods as claimed in 1-10, and in further view of the following, are rejected along the same rationale.

In reference to claims 31-38, the claims reflect the system comprising similar instructions used for performing the methods as claimed in 1-10, and in further view of the following, are rejected along the same rationale.

Response to Arguments

Applicant's arguments with respect to claims 1-38 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127.

The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ML
April 20, 2005


STEPHEN HONG
SUPERVISORY PATENT EXAMINER